

Minneapolis Plastic Bag Ban & Fee Proposal

Citizens Environmental Advisory Commission

3 JUNE 2015 FINAL DRAFT

INTRODUCTION

The CEAC Zero Waste Subcommittee developed the following proposal for a plastic bag ban for the City of Minneapolis by request of Councilman Cam Gordon. The team researched eight cities that have implemented bans: San Francisco, Seattle, Portland, Austin, Dallas, LA, Chicago, & Washington D.C. We analyzed their policies, reviewed opposition positions, and developed the following recommendations for a plastic bag ban for Minneapolis. We believe that this set of policy recommendations will minimize legitimate concerns, while maximizing environmental benefits for the City of Minneapolis.

PROPOSED POLICY

Ban/Fee:

- An outright ban on plastic bags and a minimum 5-cent fee per bag levied on large paper bags.
- The minimum 5-cent per bag fee is kept by retailer and must be shown on the receipt. The fee is taxable income.

Implementation:

- Set a specific date to enforce 3-6 months out of passing. From that point forward, no plastic bags may be distributed.
- Everyone from restaurants to retailers will have same implementation date.

Plastics Requirements:

- Prohibit retail stores from providing customers with single-use handled plastic carryout bags, including those advertised as compostable, biodegradable, photodegradable or similar. Biodegradable or green colored bags that are not compostable are already illegal per state law.

Paper Requirements:

- 5 cent minimum fee for "typical" large paper bags. Large paper bags are 1/8 barrel (882 cubic inches) or larger. These are typical grocery bags with a flat bottom greater than 60 square inches. Allow retail stores, at their discretion, to charge for smaller bags or provide them free. Require that bags to which the 5 cent charge applies contain at least 40% post-consumer recycled fiber.

Plastic Exemptions:

- Any bag without handles used to carry produce, meats, or other food items to the point of sale inside a store or to prevent such food items from coming into direct contact with other purchased items.
- Dry-cleaner, newspaper, and door-hanger bags and plastic bags sold in packages containing multiple bags intended for use as garbage bags or to contain pet waste, or approved compostable food and yard waste bags are exempt.

People Exemptions:

- Customers using vouchers or electronic benefit cards from state or federal food assistance programs for grocery purchases are exempt from the minimum 5-cent paper bag charge.

Thickness Exemptions:

- Plastic bags of 4mil or greater are exempt from ban, but still must carry the 5-cent minimum fee.
- The greater thickness is to avoid companies from skirting the ban by supply heavier weight bags rather than making the switch to paper.

Fines:

- Non-compliance would be either be found by inspection of food facilities or through consumers notifying the city (via 311, webpage, etc).
- First offense would be a warning to comply with the ordinance, including materials on how to best comply.
- Further offenses would be of escalating amounts from \$100-\$1000 depending on number of offenses.
- Creation of more formal zero waste enforcement team to follow up on non-compliance issues.

Sectors and Retailers Included:

- All retailers will be included in the ban

OTHER RECOMMENDATIONS

The following are additional thoughts on implementation of the policy that are critical to successful adoption:

- Work with large retailers and/or with funds from the city budget to provide low-cost and/or free reusable bags at onset (and before) the ordinance takes effect.
- Work with government and organizations to educate their constituents about the change and to distribute free reusable bags.

- Partner with government and non-profit organizations that provide services to low income residents to educate their constituents about the change, the exemption for those using food assistance programs, and to distribute free reusable bags.
- Education and instructions washing reusable bags.
- Develop a clear outreach/education plan with the goal of making it as easy as possible for consumers, businesses, and support organizations to successfully adopt reusable bags and reduce waste
- Capture metrics on bags being sold, exemptions from fee, and violations.
- Develop case studies with independent businesses to better estimate impact.
- Additional data collection on waste reduction and environmental impacts of bag usage change over time.

RATIONALE

Plastic bags are harmful to the environment. As litter they can be found in our waterways and trees, lingering nearly indefinitely and suffocating animals. They are ubiquitous and are hard to dispose of; not biodegrading and gumming up machinery in recycling plants not especially suited to dealing with them (such is the case for Minneapolis's single sort system).

The overall goal of this policy should be to reduce waste and decrease the environmental impact of using single-use bags. By increasing the use of reusable bags, the City of Minneapolis will decrease the negative production impacts of single-use bags, including: carbon use, water use, and air and water pollution.

The above proposal is a mix of the most promising aspects out of the researched policies. The eight cities (San Francisco, Seattle, Portland, Austin, Dallas, LA, Chicago, & Washington D.C.) were selected due to their similarity in size to Minneapolis. There were many similarities in the policies, and additionally very similar responses to the bans when they were being proposed. The biggest opposition for the bans came not from the retailers, nor citizens, but from the plastic bag industry. In several cases the industry raised costly campaigns against the bans in order to get them repealed. Criticism has been levied against cities whose bag fees go back to the government, which has been seen as a tax by a different name. Fears of increased shoplifting, due to patrons being encouraged to carry their own bags, have been reported but never verified. Concerns also exist of disease transmission from unwashed reusable bags, which have been verified. The above recommendations address some of these issues, as well as concerns of disproportionate impact on vulnerable populations.

We believe that this set of policy recommendations will minimize legitimate concerns, while maximizing environmental benefits for the City of Minneapolis.